

Article - State Government

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§12-501.

(a) (1) The Board of Public Works may approve payment of a settlement, a judgment, or counsel fees under Subtitles 3 and 4 of this title with or without a hearing, and direct payment from:

- (i) money appropriated for that purpose in the State budget;
- (ii) money appropriated to the State Insurance Trust Fund for that purpose; or
- (iii) the General Emergency Fund.

(2) The Board of Public Works may approve payment of a settlement, a judgment, or counsel fees under Subtitles 3 and 4 of this title with or without a hearing, and direct payment from any tax which has been appropriated in the State budget to the subdivision represented by the sheriff or deputy sheriff on whose behalf the payment is to be made, or direct payment from the subdivision's share of any income tax collected by the State Comptroller, in connection with any settlement or judgment paid on behalf of any sheriff or deputy sheriff for any claim except those claims relating to:

- (i) courthouse security;
- (ii) transportation of prisoners;
- (iii) service of process;
- (iv) personnel and other administrative activities;
- (v) activities, including activities relating to performing law enforcement functions, arising under multijurisdictional agreements under the supervision and direction of the Maryland State Police or other State agency; or
- (vi) any other activities, except activities relating to performing law enforcement functions or detention center functions.

(3) The Board may direct that payment be made in lump sum or in installments.

(4) If the Board disapproves payment in whole or in part, the Board shall state in writing its reasons for disapproval.

(5) Decisions under this title are not subject to judicial review.

(6) Nothing in this section shall be construed as a waiver of sovereign immunity of the State, any of its units, or State personnel.

(7) If the Board directs payment under paragraph (2) of this subsection, such payment shall be collected in the manner provided by § 7-222 of the State Finance and Procurement Article.

(b) The Board of Public Works may delegate to affected units, in consultation with the Attorney General, authority to pay, from the funds of that unit available for the purpose, settlements, judgments, and counsel fees that do not exceed \$10,000 in a particular case.

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